

Remarks

Applicants note with appreciation the allowance of claims 7-16.

Initially, it is noted on page 2 of the Office Action that the Examiner has merely objected to claims 2-6 and has indicated these would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Accordingly, claim 2 has been cancelled and resubmitted as new independent claim 17. Claim 3 has been amended to depend from new claim 17. With these changes, claims 17 and 3-6 should now be in condition for allowance.

Also, on page 2 of the Office Action, the Examiner has rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,897,432 to Klotzman. The Examiner states:

Klotzman shows a valve with inlet 5 and bypass outlet 4. Piston assembly is biased closed by spring 21 both at normal system pressure (between the recited thresholds) and below the second threshold. In the first open position, the entire assembly rises off seat 8 (Fig. 2), and below the first threshold, inner piston member 17 opens seat 15 (Fig. 1) to bypass.

Applicants respectfully traverse this rejection for the following reasons.

Valve 9 in Klotzman only has one open position unlike the claimed first and second open positions of the piston assembly of the present invention. For this reason alone, claim 1 should not be rejected under 35 U.S.C. § 102(b) based on Klotzman.

Also, valve 9 in Klotzman has nothing to do directly with whether seat 15 is open. That is controlled by separate movement of another valve 11. Further, fluid flows out of Klotzman in different directions (though ports 4 and 3), unlike the present invention in which fluid flows out the same bypass fluid outlet when the piston assembly is in the first and second open positions.

Therefore, it is respectfully submitted that claim 1 should be allowed.

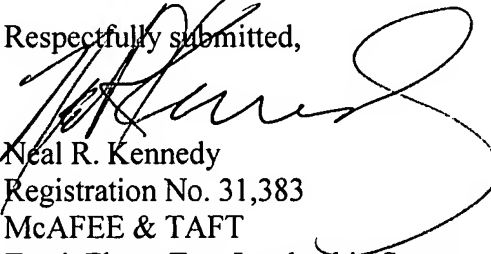
Summary

Claims 7-16 have been allowed.

Claim 2 has been cancelled and resubmitted in independent form as new claim 17. Claim 3 has been amended to depend from new claim 17. Therefore, claims 17 and 3-6 should be in condition for allowance.

In view of the arguments presented regarding claim 1, it is respectfully submitted claim 1 is also patentably distinguishable over the prior art of record and should be allowed.

Respectfully submitted,



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